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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/588,306

09/08/2006

Magnus Hogbring

1509-1066

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466

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05/23/2008

YOUNG & THOMPSON

209 Madison Street

Suite 500

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EXAMINER

SMITH, JASON C

ART UNIT

PAPER NUMBER

4136

MAIL DATE

DELIVERY MODE

05/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/588,306	Applicant(s) HOGBRING, MAGNUS	
	Examiner Jason C. Smith	Art Unit 4136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/03/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/03/2006 is being considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Mombour (EP1247716).** Mombour discloses a deformation tube (14) for towing arrangement for train coupler, characterized in that the same has a cylindrical basic shape and comprises a rear section, which via a conically widening waist transforms into a wider front section, to which a flange (59) is united for the fixation of the deformation tube in a frame or chassis of a vehicle unit, and that internally in the wide, front section, there is means (17) in order to secure a clamp ring (16); **[claim 8]** in that said means (17) consists of a female thread arranged to co-operate with a male thread of the clamp ring (16) (0067);

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barker et al. (6,446,820) in view of Mombour (EP1247716).

Barker et al. discloses a towing arrangement for train coupler, comprising a bar (54), which at a rear end includes an axially projecting pin (34), which projects through a through hole (80) in a plate (32), which on both sides is surrounded by shock-absorbing spring members (30), which always aim to hold the pin in a starting position in relation to the plate, and against the action of which the pin together with the bar are axially movable, characterized in that said plate (32).

Barker et al. discloses the towing arrangement set forth above, but does not disclose the mandrel inserted into the deformation tube. However, Mombour discloses a mandrel (15) equipped with a cone (23), which mandrel is inserted into a deformation tube (14), more precisely into a wide, front tube section, which via a waist transforms into a thinner, rear tube section, which is deformable by the penetration of the mandrel (See Fig. 1). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a mandrel inserted into a deformation tube disclosed in Barker et al. in view of the teaching of Mombour. The motivation for doing so would

have been to provide a towing arrangement, in which a collision protection function is integrated and that is inexpensive to manufacture.

Regarding claim 2, Mombour discloses that the mandrel (15), in addition to said plate (32, Barker et al.), includes a cylinder (18) extending rearward from the same, which in turn at a free, rear end has said cone (23); **[claim 3]** Mombour discloses that the plate (32) and the cylinder (18) are made integrally from a first material, while the cone consists of a ring (23) that is of a second material and formed with a conical surface (20a), which second material has greater compression strength than the first-mentioned one; **[claim 4]** Mombour discloses that the mandrel (15) in a primed starting position is kept in place in the deformation tube (14) by means of a clamp ring (16), which, on one hand, prevents the mandrel from moving axially forward out of the tube as long as the mandrel is influenced by moderate forces only, but on the other hand freely allows the mandrel to move rearward from the same into the thin section of the tube (14), so as to deform the same, if the mandrel is subjected to considerable compressive forces (0061); **[claim 5]** Mombour discloses that the clamp ring (16) is connected to the deformation tube (14) via a threaded joint in the form of a male thread on the outside of the ring and a female thread on the inside of the tube, the clamp ring having the purpose of, in the starting position, holding the cone (23) of the mandrel pressed, free of play, against the waist between the thin and wide, respectively, sections of the tube (0067); **[claim 6]** Mombour discloses that the mandrel (15) at a front end has a circumferential groove, into which an internal part of the clamp ring (16) engages (0022); **[claim 9 and 10]** in that the mandrel (15) in a primed starting position is kept in

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place in the deformation tube (14) by means of a clamp ring (16), which, on one hand, prevents the mandrel from moving axially forward out of the tube as long as the mandrel is influenced by moderate forces only, but on the other hand freely allows the mandrel to move rearward from the same into the thin section of the tube (14), so as to deform the same, if the mandrel is subjected to considerable compressive forces (0061); **[claim 11]** in that the mandrel (15) at a front end has a circumferential groove, into which an internal part of the clamp ring (16) engages (0022).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason C. Smith whose telephone number is (571) 270-5225. The examiner can normally be reached on M- F, 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen Shriver can be reached on (571) 272-6698. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jason C Smith/
Examiner, Art Unit 4136

/J. Allen Shriver/
Supervisory Patent Examiner, Art Unit 4136